



SPD PROGRESS REPORT

Less Lethal Options Program –Year 1

In September 2000, the Force Options Research Group (FORG) – an internal study group – and a Community Workgroup forwarded recommendations to the Mayor and City Council for a Less Lethal Options Program in the Seattle Police Department. Both groups recommended a combination of enhanced training in crisis intervention and acquisition of new less lethal devices; and they made further suggestions about program funding and implementation.

In response to these recommendations, the Mayor supported, and the City Council approved, a special appropriation in the Department's 2001-2002 biennial budget for Less Lethal Options. To expedite implementation of the Program, some of this funding was provided in late 2000 in the form of an emergency appropriation.

This Report is an update on the Department's progress in 2001 in implementing the Less Lethal Options Program and advancing its goals. As the Report makes clear, though only halfway through the biennium, the Department has made substantial progress in achieving many of the goals established for the two-year Program.

The Report is divided into four parts, each of which begins with a brief statement of Program goals, followed by a Progress Report and a discussion of Ongoing Issues and Concerns. The four parts of the Report cover:

- Crisis Intervention Training,
- the M26 Taser,
- the Less Lethal Shotgun with beanbag rounds, and
- Ongoing Program Implementation and Review.

Crisis Intervention Training

Program Goals. Both the FORG and the Community Workgroup regarded providing officers with enhanced skills for dealing with persons in crisis as an integral part of the Department's Less Lethal Options Program. To accomplish this, both Groups recommended expansion of the Department's well-regarded Crisis Intervention Team (CIT) model to include more first response officers. The specific, biennial goals that the Department set for itself in this area were these:

- *Train enough additional patrol officers to maintain 200 CIT-trained officers in Patrol Operations.*
- *Provide mandatory, one-day CIT familiarization and orientation training to all Patrol Operations officers not receiving full CIT training.*
- *Provide mandatory, one-day refresher and skill-building training to existing CIT officers annually.*
- *Provide CIT training to all sergeants in Patrol Operations.*
- *Issue directives on call-outs and deployments of CIT officers.*

Progress Report. The Department's goals in the area of Crisis Intervention Training were established over the two years for Program implementation, but already substantial progress has been made, as follows:

- *The Department has exceeded its biennial goal of having 200 CIT-trained officers in Patrol Operations.* As of the end of 2001, 214 patrol officers plus 6 SWAT officers had received the full, 40-hour CIT training. The Department estimates that it will require one CIT course per year to maintain the current complement of CIT officers in Patrol Operations. Since all CIT training courses have had waiting lists, the Department does not anticipate having difficulty in maintaining its desired level of CIT trained patrol officers.
- *The Department is halfway toward its biennial goal of providing mandatory, one-day CIT familiarization and orientation training.* About 47% of remaining Patrol officers (261) received the one-day orientation training in 2001.
- *The Department has achieved its goal of providing annual refresher and skill building training to existing CIT officers.* The 2001 CIT refresher classes focused on active listening. The 2002 CIT refresher classes will cover the involuntary commitment process and forensic psychology.
- *The Department is rethinking its goal of providing all Patrol sergeants with full CIT training.* Instead of merely adding more CIT trained officers, the Department is considering training for sergeants that would focus on how the community crisis intervention/mental health systems work, how best to use CIT officers, how to review incident reports to identify potential CIT Program involvement, and how to coach officers to assess and respond effectively to situations with high-risk potential.
- *The Department has issued directives to clarify call-outs and deployments of CIT officers.*

Ongoing Issues and Concerns. Approximately one third of Patrol Operations officers are CIT trained and they are assigned across all shifts and precincts. If a CIT officer is not available in one Precinct, Department directives permit CIT officers to be dispatched from other Precincts when necessary. The progress made in this area, however, has brought new issues and concerns. These include:

- *Hesitance to request a CIT officer.* Despite the greater availability of CIT-trained officers in Patrol, the CIT Program Sergeant has identified a number of situations that could have benefited from the involvement of a CIT officer, though none was requested. It is not that outcomes in these situations would have been different, but rather that they may have been achieved at less risk to officer safety. In addition, a CIT officer may have been able to invoke some additional resources in the aftermath of some of these incidents to reduce the chance of further police involvement. The key to addressing this issue is building greater support for using CIT officers by Patrol sergeants. That is why the Department is rethinking the idea of training Patrol sergeants to be CIT officers, in favor of training them to coach and support the use of the existing CIT resources.
- *Timing and structure of CIT officer refresher training.* The increased number of CIT officers has made scheduling of the annual refresher training somewhat problematic. The alternative is to provide a greater number of refresher classes for smaller groups of officers, but while this is feasible, it involves additional expense.
- *Time for additional, CIT orientation training.* The Department is committed by labor agreement to an ambitious training program for all officers. This has led to expansion of the Officer Street Skills class and to other safety-related training efforts, which include such topics as defensive tactics, medical/CPR training, and best practices. Finding time to schedule an additional training day for CIT orientation is proving difficult. This is especially problematic when portions of the year are not available for training because of special events in the City, which require large-scale deployments of officers.
- *CIT Program coordination resources to prevent escalation of violence and police confrontations.* A positive result of the expanded CIT training is that officers are identifying and documenting mental illness issues in an increasing number of incidents. While this gives the CIT Program Sergeant a lot of information to work with, it is also stretching the resources of the Program, frustrating its ability to connect with the mental health community in a timely manner to resolve issues. The risk is that a lack of timely response may reduce officer confidence in the Program; and maintaining officer cooperation is essential if low risk situations are to be identified and handled before they become high-risk confrontations. With the pressures on public sector budgets that will likely result in reductions in mental health services, it is critical for the Department to be able to triage the most problematic incidents in order to access any available resources.

The M26 Taser

Program Goals. At the time that the FORG and the Community Workgroup were making their recommendations, the M26 Taser offered great promise for providing a reliable less lethal option that could provide some standoff distance for officers, while resulting in no long term effects on subjects. Earlier tasers were noted for being neither effective nor reliable. For these reasons, both Groups endorsed the M26. The Department's specific goals with respect to the device were, as follows:

- *Purchase and deploy 130 - M26 Tasers in Patrol Operations to provide limited coverage throughout the City on a 24x7 basis.*
- *Develop and implement a 4-hour qualification and certification program to train selected officers to use the M26 Taser.*
- *Develop and implement a mandatory, annual re-certification and skill-building training program for taser officers.*
- *Adopt appropriate policy and directives governing the deployment of the M26 Taser and documenting its use.*

Progress Report. The Department has been particularly successful in meeting its biennial goals for the M26 Taser during 2001. Officer acceptance and use of the device has been positive; the device is well distributed across the City; and field experience has confirmed that the device is useful in resolving incidents while exposing both officers and subjects to low risk of injury. A detailed report on the first year of taser use in the Department has been published separately. Below is a summary of first year milestones associated with the M26 Taser.

- *The Department has exceeded its biennial goal of deploying 130 – M26 Tasers in Patrol Operations.* By the end of 2001, the Department had deployed a total of 158 tasers, 136 in Patrol plus another 8 in all SWAT vehicles and 14 devices in specialty units. Another 30 devices remain to be deployed.
- *The Department was successful in developing and presenting a 4-hour taser training program.* The taser training course combines classroom instruction, drills and qualification, and scenario-based training. During 2001, the course was regularly updated to reflect field experience with the device and the feedback received from taser officers.
- *The Department recently initiated the first sessions of a mandatory, annual re-certification and skill-building class for taser officers.* Taser officers who were trained in December 2000 and January 2001 were the first to attend this 4-hour program.
- *The Department issued a Provisional Policy on the M26 Taser in December 2000 to guide the initial deployment of the device.* Since that time, a more fully developed policy directive and operating guidelines for the taser were drafted, submitted to Department bargaining units for review, and are now in the process of being finalized.

Ongoing Issues and Concerns. Field experience with the M26 Taser served to confirm the confidence that the FORG and the Community Workgroup had placed in the device. Officers credited the device with successfully resolving 85% or 91 of 106 incidents in which it was deployed. Success was even higher (92%) in incidents where use of the device resulted in verified contact with the subject (84 of 91 incidents). Equally encouraging was the low rate of reported injuries to officers and subjects during taser incidents; none directly related to the device. At the same time, the first year taser implementation revealed some ongoing issues and concerns, as follows:

- *Public expectations of the taser need to be realistic.* In recommending less lethal options, the Department repeatedly cautioned that they should not be regarded as a substitute for deadly force. It was also noted that the deployment of these options would be limited in scope. Still, many seem to feel that deployment of the taser signals the end of police shootings, and that is simply not the case. The taser can only operate within its specific range (6-21 feet); it must be neither too close nor too far; the subject must be contained; and if confronting an armed subject, an officer should have lethal cover to safely employ it. Absent these conditions, the taser – even when available – may be neither effective, nor appropriate. Ongoing public education about the device is essential to make the community aware of what can be expected.
- *Officers need to respect the inherent limitations of the taser.* Not unlike the public, officers can have unrealistic expectations of the device. Officers are focused on resolving situations with a minimum use of force. The taser, while a very useful tool for this purpose, is not a panacea; nor is it appropriate in all circumstances. Fully charged, with both darts making contact, and with wires intact, the taser should perform as promised. But unless all these conditions are met, the desired effects may not be obtained. Through ongoing monitoring and tracking of field uses, the Department is attempting to ensure that officers are kept apprised of what works and what does not.
- *Officers must be more cautious in using the taser against armed subjects.* The M26 Taser offers greater standoff distance for officers than did earlier tasers. However, being within 6-21 feet of armed subjects whose actions and intentions are wildly unpredictable, is still perilously close. Yet in the first year of field experience, about a quarter of the subjects that taser officers confronted met the description of an armed person less than twenty feet from officers. In order to ensure officer safety and the safety of the public, the Department is recommending that officers be more cautious when deploying the taser.

The Less Lethal Shotgun with Beanbag Rounds

Program Goals. Both the FORG and the Community Workgroup saw the Less Lethal (LL) shotgun with beanbag rounds as providing a less lethal option that could be deployed at greater range (20 to 50 feet) than the taser and could carry multiple rounds instead of the single cartridge of the taser. While it was recognized that the LL shotgun with beanbag rounds had the potential for greater bodily injury than the taser, both Groups felt that a medium range alternative to deadly force was needed. The Department's specific goals with respect to the device were:

- *Purchase and deploy 130 LL Shotguns in Patrol Operations, equipped with beanbag rounds and clearly marked buttstocks, to provide limited coverage throughout the City on a 24x7 basis.*
- *Develop and implement an 8-hour qualification and certification program to train selected officers to use the LL shotgun with beanbag rounds.*
- *Develop and implement a mandatory, annual re-certification and skill-building training program for LL shotgun officers.*
- *Adopt appropriate policy and directives governing the deployment of the LL shotgun and documenting its use.*

Progress Report. The Department delayed implementation of the LL shotgun portion of the Less Lethal Options Program in order to take advantage of developments that were occurring elsewhere that could inform and improve our deployment. Other agencies using the device were experiencing a number of serious injuries and even deaths. This led them to analyze the cause and ultimately to contact manufacturers to seek improvements in the design of beanbag rounds. Information from other agencies led the Department to order custom-made shotguns with fully-rifled barrels for safer deployment of the beanbag rounds in the field. It also led the FORG to modify its draft policy directive and operating guidelines for the LL shotgun to recognize the greater potential for serious injury with the device. By waiting, the Department has been able to gain from others' experience in making choices of shotguns and rounds. Progress made by the Department has been, as follows:

- *The Department has purchased but has not deployed 130 LL shotguns for use in Patrol Operations.* The deployment was delayed not only for the reasons noted above, but also because the Department found that the phased approach to deployment used with the taser permits better monitoring and helps incorporate field experience into training efforts. Forty LL shotguns will be deployed in July 2002 once beanbag rounds are purchased.
- *The 8-hour LL shotgun training and certification course is in development; as are the selection criteria for LL shotgun officers.* Like the taser training course, the LL shotgun course will involve classroom instruction, scenario-based training, and extensive drills and qualification. A process similar to that used for the Patrol Long Rifle Program will be followed to select officers to

deploy the LL shotguns. All LL shotguns have been assembled and are ready to be assigned in the training classes.

- *The Department has not yet developed the re-certification course for the LL shotgun.* It is premature to design this course since it will be shaped by the field experience with the device.
- *The Department expects to issue a policy directive and operating guidelines pertaining to the LL shotgun prior to deployment.* A directive and operating guidelines covering both the taser and LL shotgun have been in development and review during the past year. These will be issued shortly.

Ongoing Issues and Concerns. Even before the LL shotgun is deployed, a number of issues and concerns can be identified.

- *There is a significant need for public education on the LL shotgun.* The experience in other agencies has underscored the need to make it very clear to the public that LL shotguns with beanbag rounds can cause very serious injuries, and even death. The device has a lower probability of these outcomes than do lethal weapons, and the Department has taken significant steps to make choices of shotguns and rounds to reduce risks as much as possible. However, the reality that LL shotguns with beanbag rounds may produce serious outcomes should be made clear.
- *Officers need to be informed of the risks of inflicting injuries without being deterred from using the LL shotgun.* The Department training program will need to strike a careful balance between apprising officers of the serious outcome potential of the LL shotgun, without unduly impeding them from using it.
- *Adopting a phased approach to deployment will present special challenges.* While the Department is committed to phasing in the LL shotgun, acceptance and use of the device by officers are unknown at present. If the experience is similar to that of the taser, the initial deployment will provide enough field experience to guide both training efforts and further distribution of the LL shotgun. If use of the device is infrequent, it will be difficult to determine how and when to further deploy the LL shotgun.

Ongoing Program Implementation and Review

Program Goals. Both the FORG and the Community Workgroup recognized the need for careful planning, implementation, monitoring, and ongoing review of the Department's Less Lethal Options Program. Each group made specific recommendations on how these objectives could be accomplished. For its part, the Department committed to the following implementation and review goals:

- *Develop and execute an implementation plan to guide the Less Lethal Options Program.*
- *Review and recommend revisions to manuals, directives, and use of force reporting appropriate for less lethal options.*
- *Conduct periodic reviews of less lethal force deployments.*
- *Evaluate less lethal systems on an ongoing basis.*

Progress Report. The Department has been very deliberate in implementing the Less Lethal Options Program. Each step taken has been carefully considered. Where experience has warranted, the Department has moved decisively; where issues have arisen, the Department has been cautious in its approach, attempting to avoid pitfalls and problems experienced by others. The Department's implementation milestones are, as follows:

- *The Department designated the FORG under the direction of the Deputy Chief for Operations to guide implementation of the Program.* Use of the FORG, composed of sworn and civilian members from across the Department, has ensured Program continuity as well as a central focus for assessment and follow-through on Program elements.
- *The Department has drafted, revised, and submitted for review changes to manuals, directives, and reporting mechanisms.* Provisional directives and training guidelines were issued as needed. Bargaining units had the opportunity to review and comment on operational guidelines in draft form. Final versions will be issued soon.
- *The Department has adopted an ongoing debriefing program for less lethal options and deployments.* The CIT Sergeant regularly reviews incident reports for mental health issues and the taser trainers debrief officers involved in taser deployments. In addition, all taser officers have been called together for a major seminar/debriefing on the first year of field experience with the device. All of these efforts serve to guide training efforts and shape the next steps in Program implementation.
- *The Department continues to actively evaluate less lethal options.* Evidence of this ongoing assessment is seen in the decisions made regarding the LL shotgun and beanbag rounds. Learning about and evaluating the experience of other agencies may help the Department avoid some of the less desirable outcomes associated with LL shotgun deployments elsewhere. Members of the FORG are constantly bringing new information forward to inform and shape the Less Lethal Options Program.

Ongoing Issues and Concerns. Despite the substantial progress made by the Department in implementing the Less Lethal Options Program and the many individual police/public encounters that have ended safely as a result of it, there remain some key issues that will substantially affect Program success and viability. These include:

- *Erosion of the safety net for the mentally ill and for substance abusers may compromise the use of less lethal options.* The current pressures on public sector budgets are further fraying the fragile support networks for the mentally ill and substance abusers. This is likely to force more of these persons into more desperate life choices and eventually into a growing number of more serious encounters with police officers. The often erratic, irrational, and unpredictable behaviors of such subjects pose special dangers to the public and to officers. These behaviors also make successful applications of less lethal options more difficult, because it is so hard to anticipate what such subjects will do and how they will react. The fact that officers have previously found ways to prevail in these situations using less lethal options, is no guarantee that they will continue to so in the future. Rather there is little doubt that such encounters will increase as resources dwindle. This will likely result in undesirable outcomes both with and without the use of less lethal options. This should not discourage the City or the Department from continuing to employ these options, nor should it result in a lack of confidence in the value or viability of such a Program. Pursuit of opportunities to apply less lethal alternatives remains a laudable goal, even if it cannot always be achieved.
- *The Department needs a sufficient funding commitment to the Less Lethal Options Program.* Though the Less Lethal Options Program was to be implemented over a two-year period, unexpended funds remaining in the Program budget at the end of 2001 were not approved for carryover. As a result, the Department is trying to find funding within its existing budget to purchase beanbag rounds, to replenish taser supplies, and to support commitments to less lethal training. While the Department appreciates the fiscal issues facing the City and remains committed to the Less Lethal Options Program, the reality is that it is an expensive Program both in its initial implementation and on an ongoing basis. Without a stable commitment of sufficient funding to the Less Lethal Options Program, it is neither feasible nor prudent for it to continue.